

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Camarillo, Christian

Chapter 13
Case No. 12-58648 ASW

OBJECTION TO CLAIM; NOTICE OF OPPORTUNITY FOR
HEARING; CERTIFICATE OF SERVICE
CLAIMANT: Capital One N.A. (Best Buy Co. Inc.)
CLAIM NO: 6-1

Debtor(s) _____/

The Debtor(s) [or Trustee] object(s) to the allowance of the claim described as:

<u>NAME & ADDRESS OF CLAIMANT (as set forth on Proof of Claim)</u>	<u>DOLLAR AMT</u>	<u>DATE FILED</u>
* Capital One N.A.	\$2450.55	3/1/2013
* c/o Bass & Assoc. P. C.		
* 3936 E. Ft. Lowell Road, Suite # 200		
* Tuscon, AZ 85712		

The basis for the objection is that the claim:

___ duplicates claim no. _____ filed on _____ by _____.

___ does not include a copy of the underlying judgment.

___ does not include a copy of the security agreement and evidence of perfection.

___ fails to assert grounds for priority.

___ does not include a copy of the assignment(s) upon which it is based.

___ appears to include interest or charges accrued after the filing of this case on _____.

___ is not timely filed.

xx Debtor no longer has possession of the property in which creditor claims a secured interest. Debtor's attorney has notified creditor but creditor has not changed the claim to unsecured.

The Objecting Party will ask the Court to enter an Order providing that the claim is:

___ allowed as a secured claim in the amount of: \$ _____.

xx allowed as an unsecured claim in the amount of: \$ \$2450.55.

___ allowed as a priority claim in the amount of: \$ _____.

___ disallowed in its entirety

NOTICE IS HEREBY GIVEN, pursuant to FRBP 3007 as modified by Local Rule 9014: 1) that any objection to the requested relief, or a request for hearing on the matter must be filed and served on the requesting party within twenty-one (21) days of mailing of the notice; 2) that a request for hearing or objection must be accompanied by any declarations or memoranda of law the party objecting or requesting wishes to present in support of its position; 3) that if there is not a timely objection to the requested relief or a request for hearing, the Court may enter an order granting the relief by default; and 4) that the initiating party will give at least seven (7) days written notice of hearing to the objecting or requesting party, and to any trustee or committee appointed in the case, in the event an objection or request for hearing is timely made.

Dated: 10/21/2014

/s/ Cathay Fulton Ericksen

[Attorney for] Objecting Party

DEBTOR(S') ADDRESS:

* Christian Camarillo
* 926 Prancer Ct.
* Morgan Hill, CA 95037

* Ericksen Law Office
* 142 George St.
* San Jose, CA 95110
* Telephone: 408-287-7717 #11

CERTIFICATE OF SERVICE

I am not less than 18 years of age and not a party to the within case. My business address is: 142 George St, San Jose, CA 95110. I served this OBJECTION TO CLAIM; NOTICE OF OPPORTUNITY FOR HEARING by first-class United States Mail, postage pre-paid, at San Jose, CA, California, on the date noted below and addressed to the Claimant above, and on those listed below. If entitled to notice, the Chapter 13 Trustee will receive such notice upon the electronic filing of this document. I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: 10/21/2014 at San Jose, California.

/s/ Robert H. Ericksen

* Capital One N.A.
* 12526 High Bluff Dr. # 238
* San Diego, CA 92130

* Mark D. Estle
* Law Offices of Endres and Estle
* 12520 High Bluff Dr. # 265
* San Diego, CA 92130

* eCAST Settlement Corporation
* c/o Bass & Assoc. P. C.
* 3936 E. Ft. Lowell Road, Suite # 200
* Tuscon, AZ 85712

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